

December 8, 2005



U.S. Department  
of Transportation

400 Seventh Street, S.W.  
Washington, D.C. 20590

**Pipeline and  
Hazardous Materials  
Safety Administration**

DOT-SP 9232  
(ELEVENTH REVISION)

EXPIRATION DATE: November 30, 2007
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(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: U.S. Department of Defense  
Ft. Eustis, VA
2. PURPOSE AND LIMITATION:
  - a. This special permit authorizes the transportation in commerce of certain hazardous materials described herein subject to the limitations and special requirements specified herein. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
  - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce.
  - c. No party status will be granted to this special permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR Parts 172 and 175 except as specified herein.
5. BASIS: This special permit is based on the application of the U.S. Department of Defense dated September 27, 2005 submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Hazardous materials as listed and described in § 172.101	As appropriate	As appropriate	As appropriate

7. SAFETY CONTROL MEASURES:

a. Authorized Aircraft. The aircraft to be used must be (1) U.S. civil aircraft operated by a Civil Reserve Air Fleet (CRAF) carrier, (2) U.S. civil aircraft, not in the CRAF Program, operated by a carrier identified in accordance with the provision of paragraph 8.f. of this special permit or (3) Foreign-flag aircraft made available to the United States Government (USG) to support deployment of U.S. Armed Forces.

b. Authorized Hazardous Materials. Hazardous materials authorized by this special permit are limited to materials authorized to be transported by motor vehicle in conformance with 49 CFR Parts 171-180.

c. Operational Requirements.

(1) The DOD must have advance permission from the owner or operator of each manned airport where the material is to be loaded or unloaded or where the aircraft is to land while the material is on board.

(2) Prior to its use, the name of each airport being used in moving Division 1.1, 1.2 and 1.3 explosives must be designated by DOD for use under this special permit and must be provided to the Office of Hazardous Materials Special Permits and Approvals (OHMSPA) accompanied by a copy of the airport operator's written

approval (Note: This latter requirement should be accomplished by preplanning which results in predesignation of airports and designated locations at airports for loading and unloading of explosives).

(3) When the destination is changed after departure because of weather or other unforeseen circumstances, permission from the owner or operator of the alternate airport must be obtained as soon as practicable.

(4) Each shipment moving under this special permit must be accompanied by a DOD representative at all times except aboard aircraft operated by air carriers approved under DOT-SP 7573.

(5) Loading and stowage of military explosives (including ammunition) and other hazardous materials within aircraft must be in accordance with procedures specified in AFR 71-4. All loading and unloading operations under this special permit must be monitored by a qualified DOD representative to ensure compliance with the prescribed procedures of AFR 71-4.

(6) During loading and unloading, no person may smoke, carry a lighted cigarette, cigar, or pipe, or operate any device capable of causing an open flame or spark within 50 feet of the aircraft.

(7) Unless emergency conditions prescribe otherwise, the loading and unloading of the aircraft must be conducted at a safe distance from heavily populated areas, and from any place of human abode or assembly. However, at an airport where the airport owner, operator, or authorized representative thereof has designated a specific location for loading or unloading, explosives may not be loaded or unloaded at any other location.

(8) No fueling operations of the aircraft may be conducted during the loading and unloading of explosives.

(9) Fuel tanks of vehicles may not be filled to more than 75% of their capacity.

(10) Additional fuel may be carried in 5 gallon packagings meeting or equivalent to DOT Specification

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51. This paragraph does not apply to diesel fuel which may be carried in any packaging meeting DOD specifications.

(11) Operation of the aircraft during take-off, enroute, and landing must be conducted at a safe distance from heavily populated areas.

a. Before movement of the aircraft prior to take-off, the pilot of the aircraft must notify the control tower of the class(es) of explosive(s) (including ammunition) on board.

b. The pilot of the aircraft, prior to entering an airport traffic area, must notify the control tower of the class(es) of explosive(s) (including ammunition) on board and request this information be relayed to the appropriate airport officials.

c. When under radar control during the approach and landing phase, the pilot must request appropriate vectors so as to avoid heavily populated areas.

(12) Except for hazardous materials authorized aboard passenger-carrying aircraft, no person other than a required flight crewmember, an FAA inspector, the shipper or consignee of the material or a representative of the shipper or consignee so designated in writing, military forces necessary for execution of a contingency action, or a person necessary for handling the material may be carried on the aircraft. Prior to take-off, all crewmembers will be instructed in proper procedures to be followed during an emergency involving hazardous materials.

8. SPECIAL PROVISIONS:

a. This special permit applies only to emergency movements during (1) a declared National Emergency or (2) in defense crisis conditions which require (i) the activation of any stage of the CRAF Program or (ii) the use of Foreign-flag aircraft made available to the USG or (iii) the rapid deployment of U.S. Armed Forces.

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- b. Except as otherwise stated in this special permit, the following regulations do not apply to operations performed in conformance with this special permit: 49 CFR, Parts 172 and 175.
  - c. Shipping papers, in accordance with Subpart C of Part 172, are required for all hazardous materials transported under this special permit.
  - d. This special permit authorizes transportation of hazardous materials in aircraft of United States registry or in aircraft of foreign registry operating within the jurisdiction of the United States. It does not grant authority to use foreign controlled airspace or airports outside the United States.
  - e. U.S. civil aircraft operated by carriers not in the CRAF program, must be operated by carriers approved by DOD and identified on an up-to-date list which DOD must maintain on file with the Office of Hazardous Materials Special Permits and Approvals (OHMSPA).
  - f. Shippers using the packaging covered by this special permit must comply with all provisions of this special permit, and all other applicable requirements contained in 49 CFR Parts 171-180.
  - h. Shipping papers displaying 'DOT-E 9232' may continue to be used until October 1, 2007, provided the special permit remains valid.
- 9. MODES OF TRANSPORTATION AUTHORIZED: Cargo-aircraft only and passenger-carrying aircraft. (See special permit DOT-SP 3498 for authorized surface transportation).
  - 10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each aircraft used to transport packages covered by this special permit. The shipper must furnish a current copy of this special permit to the air carrier before or at the time the shipment is tendered.
  - 11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when the special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)- 'The Hazardous Materials Safety and Security Reauthorization Act of 2005' (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term 'exemption' to 'special permit' and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this exemption are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this exemption must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this exemption.

Issued in Washington, D.C.:

A handwritten signature in blue ink, appearing to read "Robert A. McGuire".

Robert A. McGuire  
Associate Administrator  
Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Washington, D.C. 20590. Attention: PHH-31.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at [http://hazmat.dot.gov/sp\\_app/special\\_permits/spec\\_perm\\_index.htm](http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm) Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

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